

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ONEBEACON INSURANCE	§	
COMPANY	§	
	§	
V.	§	CIVIL ACTION NO.
	§	4-11-CV-03061-GHM
T. WADE WELCH & ASSOCIATES,	§	
ROSS W. WOOTEN, T. WADE	§	
WELCH, JOSEPH H. BOYLE, CHAD	§	
HAGAN and DAVID NOLL	§	

ANSWER TO AMENDED COMPLAINT

Joseph H. Boyle, Chad Hagan, and David Noll answer the allegations of OneBeacon Insurance Company's Amended Complaint for Declaratory Judgment [Doc. 52].

1. The allegations of paragraphs 5-9 and 33 of the Amended Complaint are admitted.
2. The allegations of paragraphs 32, 51, 59, 64, 66, and 67 are denied.
3. These defendants are without sufficient knowledge to admit or deny the allegations of paragraphs 1-4, 10-26, 27-31, 45-50, 53-58, 61-63, and 65.
4. The remaining paragraphs of the Amended Complaint do not require a response, principally because the allegations regarding the Colorado Litigation have been dismissed as moot.

5. The Amended Complaint makes no specific allegation against Boyle, Hagan, or Noll. It seeks no specific relief against these defendants. To the extent the Amended Complaint seeks merely to bind these defendants to any determination made by this Court regarding the validity and enforceability of the two insurance policies at issue, these defendants have already stated—and now repeat—their willingness to be bound by the judgment of this Court, whether they are named as parties or not.

6. It was not necessary to name these defendants as parties in this case. These defendants seek recovery of their fees and expenses incurred in appearing in this case and defending this suit.

Therefore, Boyle, Hagan, and Noll request that the Plaintiff take nothing against them, that they be entitled to recover their costs of court, their attorneys' fees and expenses, and for such other and further relief to which they may be justly entitled.

Respectfully submitted,

BECK, REDDEN & SECREST, LLP

By /s/ Murray Fogler

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**ATTORNEYS FOR DEFENDANTS
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AND DAVID NOLL**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Answer to Amended Complaint [on behalf of Defendants Joseph H. Boyle, Chad Hagan and David Noll] was served in compliance with the Federal Rules of Civil Procedure on May 4, 2012, on the following counsel of record, as follows:

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